

REMARKS

The claims of this response follow the numbering scheme as per the official action of December 4, 2003. Namely, claims 30-48 have been renumbered as claims 30-47.

The above newly entered Abstract and amended paragraphs [007], [010], [011] [014], [015], [017] and [018] of the specification overcome some informalities noted in the specification on file. The undersigned avers that the newly amended paragraphs of the specification do not contain any new subject matter.

Specifically, the new Abstract overcomes the noted objections. Additionally, the specification is amended in paragraph [018] to clarify some of the differences between first and second embodiments shown in the Figs. One of the differences, noted in the amended paragraph [018], is the placement of the bearing 17 in relation to the inner central wheel 18. As this difference can be seen in the originally filed Figs. 1 and 2, the Applicant respectfully submits that no new subject matter is added to the specification.

Further paragraph [018] is amended to include subject matter concerning the winding recess found on the input shaft 25 of the first reduction gear 3, as disclosed and found in the originally filed specification. This amendment is believed to clarify the objectionable language of claim 42. As this limitation was contained in claim 12 of the originally filed application, the Applicant respectfully submits that no new subject matter is added to the specification.

The Examiner objects to the drawing under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims. In view of the above amendments to claim 43, the Applicant respectfully submits that drawing amendments are no longer believed necessary.

Claims 30-46 are objected to for the reasons noted in the official action. The above requested claim amendments are believed to overcome all of the raised informalities concerning these claims. If any further amendment to these claims is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

Renumber claims 30-47 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons noted in the official action. The inadequate written description rejection is acknowledged and respectfully traversed in view of the following remarks.

The claims are amended to further clarify the subject matter regarded as the invention. The Examiner rejects claim 30 for the recitation of "...the disk brake (15) forming a stop which limits further insertion of the drive motor (1) within the rim (12)". The Examiner further states

that claim 47 contains similar recitations. Upon reviewing the prosecution of this application, the Applicant is uncertain why this limitation was entered in the claims and also can not find basis for the same. Accordingly, this limitation is canceled from claims 30 and 47 and such cancellation is believed to overcome the raised rejections.

Next, claims 43 and 44 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

With respect to the Baker `513 reference, it relates to a traction wheel unit comprising a motor 10 having a shaft 13 with a drive pinion 16. This drive pinion 16 engages with and drive either gear 17 or 18 which is integral with driven member 19. The driven member 19 drives the axle 20, supporting the wheel and tire which rotate along with the axle 20. In view of the forgoing brief discussion of Baker `513, this reference specifically discloses a single gear set, namely, pinion 16 engages a single ring gear 17 or 18. This is in distinct contrast to the presently claimed invention which requires, in particular, both first and second reduction gears sets (3, 11) and the disc brake 15 to be located between drive motor (1) and the first and second reduction gears (3, 11).

As previously noted, independent claim 30 of this application recites the features of:

"[a] final drive. . . wherein the reduction gears (3, 11) comprises first and second reduction gear sets (3, 11) which are located adjacent one another, and the disk brake (15) is located between the drive motor (1) and the first and second reduction gears (3, 11)."

In addition, independent claim 47 recites the features of:

"[a] final drive. . . comprising. . . first and second reduction gear set (3, 11); a wheel driven by the first and second gears set (3, 11) rotates about a wheel axis. . . the first and second reduction gears sets (3, 11) are located adjacent each other and the disk brake (15) is placed between the drive motor (1) and the first and second reduction gears (3, 11)."

Lastly, independent claim 48 now recites the features of:

"[a] final drive. . .comprising. . .a disk brake (15) located within the rim (12) for braking rotation of the vehicle wheel, the disk brake (15) defining a brake plane extending normal to the wheel rotational axis, and the disk brake (15) being actuated by an actuation mechanism (23); wherein the reduction gears (3, 11) comprises first and second reduction gear sets (3, 11), and the drive motor (1) is located on one side of the brake plane while the first and second reduction gear sets (3, 11) are located on an opposite side of the brake plane."

Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

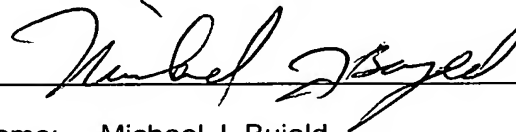
Respectfully submitted,


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